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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
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10/762,869

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EXAMINER

NGUYEN, LE V

ART UNIT

PAPER NUMBER

2174

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PAPER

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

<b>Office Action Summary</b>	<b>Application No.</b>	<b>Applicant(s)</b>	
	10/762,869	GOTTFURCHT ET AL.	
	<b>Examiner</b>	<b>Art Unit</b>	
	Le Nguyen	2174	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

#### Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

#### Status

- 1) ☐ Responsive to communication(s) filed on \_\_\_\_.
- 2a) ☐ This action is FINAL.                      2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

#### Disposition of Claims

- 4) ☒ Claim(s) 1-17 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-17 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_ are subject to restriction and/or election requirement.

#### Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

#### Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All    b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

#### Attachment(s)

- |   |  |
|---|--|
| 1) <input checked="" type="checkbox"/> Notice of References Cited (PTO-892)   | 4) <input type="checkbox"/> Interview Summary (PTO-413)<br>Paper No(s)/Mail Date. ____ |
| 2) <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)  | 5) <input type="checkbox"/> Notice of Informal Patent Application                      |
| 3) <input checked="" type="checkbox"/> Information Disclosure Statement(s) (PTO/SB/08)<br>Paper No(s)/Mail Date <u>See Continuation Sheet</u> . | 6) <input type="checkbox"/> Other: ____  |

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date :4/2/07, 8/3/05, 2/7/05, and 7/13/04.

## **DETAILED ACTION**

### ***Claim Objections***

1. Claim 7 is objected to because of the following informalities: "the indication off the display" in line 2, of claim 7 appears to contain a typographical error. Appropriate correction is required.

### ***Claim Rejections - 35 USC § 112***

2. The following is a quotation of the second paragraph of 35 U.S.C. 112:

The specification shall conclude with one or more claims particularly pointing out and distinctly claiming the subject matter which the applicant regards as his invention.

3. Claims 2, 4-6, 11 and 13-15 are rejected under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. The term "matrix" is a mathematical term and appears to contradict applicant's definition that a matrix is an image map having each navigation option paired with an input such that, for example, pressing a single key activates that navigation option wherein it is not necessary that all layers of the matrix have the same number of cells, nor is it required that all cells have the same size. Therefore, the office will accordingly interpret "matrix" to mean an image map having each navigation option paired with an input.

***Claim Rejections - 35 USC § 103***

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

5. Claims 1, 2, 6-11 and 15-17 are rejected under 35 U.S.C. 103(a) as being unpatentable over Croy et al. ("Croy") in view of Fujita.

As per claim 1, although Croy teaches a method of simplifying wide-area network navigation comprising limiting navigation options to a set, each member of which can be traversed by pressing a single unique key (figs. 1 and 3C; col. 7, lines 46-64; col. 9, lines 27-31; a navigation option is paired with an input such that pressing one of the single/dedicated key 312 on the remote controller 200 activates a navigation option displayed on screen 240 of 140), Croy does not explicitly disclose displaying each option in association with an indication of the single unique keys. Fujita teaches displaying each option in association with an indication of the single unique keys (figs. 1-2; col. 1, lines 11-13; col. 2, lines 23-25; col. 3, lines 11-19). It would have been obvious to an artisan at the time of the invention to incorporate the method of Fujita with the method of Croy so that users can easily elect menu items between menu displays and remote control keypads.

As per claim 2, the modified Croy teaches a method of simplifying wide-area network navigation wherein the options are displayed in an image map having each

navigation option paired with an input format with each cell of the image map having each navigation option paired with an input associated with a unique key (Fujita: fig. 2).

As per claim 6, the modified Croy teaches a method of simplifying wide-area network navigation wherein a background is displayed behind the image map having each navigation option paired with an input (Fujita: fig. 2; Ellis: figs. 5-6; e.g. white background) and further comprises matching the background with a selected navigation option (Fujita: figs. 1-2; col. 3, lines 11-19; each selected navigation option matches the background).

As per claim 7, although the modified Croy teaches a method of simplifying wide-area network navigation comprising an indication of the display for a subset of options (Fujita: Abstract; figs. 1-2; col. 3, lines 11-19), the modified Croy does not explicitly disclose fading the indication over a time interval. Official Notice is taken that fading an indication over a time interval is well known in the art. It would have been obvious to an artisan at the time of the invention to incorporate the method of fading an indication over a time interval with the method of the modified Croy in order to provide a dynamic interface that is responsive to user interaction, i.e. a UI that develop and changes during the course of user interaction. Moreover, such fading mechanism provides an uncluttered UI within limited display spaces, especially following a selection when the indication has already serve its purpose as a pre-selection or selection confirmation emphasis.

As per claim 8, the modified Croy teaches a method of simplifying wide-area network navigation wherein the display is a television display (Fujita: figs. 7a-8; television display 712, 812 and 814).

As per claim 9, the modified Croy teaches a method of simplifying wide-area network navigation wherein each navigation option is associated with a single key on a television remote control (Croy: figs. 1 and 3C; col. 7, lines 46-64; col. 9, lines 27-31; Fujita: figs. 1-2; single keys on television remote control 10).

Claim 10 is similar in scope to claim 1 and is therefore rejected under similar rationale.

Claim 11 is similar in scope to claim 2 and is therefore rejected under similar rationale.

Claim 15 is similar in scope to claim 6 and is therefore rejected under similar rationale.

Claim 16 is similar in scope to claim 8 and is therefore rejected under similar rationale.

Claim 17 is similar in scope to claim 9 and is therefore rejected under similar rationale.

6. Claims 3-5 and 12-14 are rejected under 35 U.S.C. 103(a) as being unpatentable over Croy et al. ("Croy") in view of Fujita, and further in view of Ellis et al. ("Ellis").

As per claim 3, although the modified Croy teaches a method of simplifying wide-area network navigation wherein the set comprises a first subset of primary navigation options wherein each member of the first subset is associated with a numerical digit key

(Croy: figs. 1 and 3C; col. 7, lines 46-64; col. 9, lines 27-31; Fujita: figs. 1-2; col. 3, lines 11-19), the modified Croy does not explicitly disclose a second subset of secondary navigation options. Ellis teaches a second subset of secondary navigation options (figs. 5-6; paragraphs [0069]-[0071], [0083] and [0110]; e.g. one would get additional information on a product by selecting an advertisement or a listing screen by indicating a desire to access a listing for an expression wherein a content layer may or may not include cells in addition to content). It would have been obvious to an artisan at the time of the invention to incorporate the method of Ellis with the method of the modified Croy so that groups of program listings can be organized according to one or more organization criteria within a limited display space.

As per claim 4, although the modified Croy teaches a method of simplifying wide-area network navigation comprising generating a layer of the image map having each navigation option paired with an input responsive to key press signals until a maximum depth is reached and displaying content corresponding to the cell selected at the maximum depth (Croy: figs. 1 and 3C; col. 7, lines 46-64; col. 9, lines 27-31; Fujita: figs. 1-2; col. 3, lines 11-19), the modified Croy does not explicitly disclose having successively deeper layers of the image map having each navigation option paired with an input. Ellis teaches having successively deeper layers of the image map having each navigation option paired with an input (figs. 5-6; paragraphs [0070]-[0071], [0083] and [0110]). It would have been obvious to an artisan at the time of the invention to incorporate the method of Ellis with the method of the modified Croy so that groups of



program listings can be organized according to one or more organization criteria within a limited display space.

As per claim 5, the modified Croy teaches a method of simplifying wide-area network navigation comprising translating content from an arbitrary format to a single predefined format (Ellis: paragraphs [0045] and [0056]).

Claim 12 is similar in scope to claim 3 and is therefore rejected under similar rationale.

Claim 13 is similar in scope to claim 4 and is therefore rejected under similar rationale.

Claim 14 is similar in scope to claim 5 and is therefore rejected under similar rationale.

### ***Conclusion***

7. The prior art made of record and not relied upon is considered pertinent to applicant's disclosure.

Kurita (US 5,353,016) teaches a remote commander with exchangeable operating card for input.

Herz (US 6,407,779 B1) teaches a method and apparatus for an intuitive universal remote control system.

Yokota (US 7,051,281 B1) teaches a remotely controllable UI display apparatus and method of controlling the same, the remote control performed using a virtual control

panel having the appearance of the actual control panel wherein the virtual control panel is created by utilizing the control-panel data.

Saib (US 6,317,706 B1) teaches a simulation development tool that produces a control code associated with a remote control that is identical to the control code that would be produced by a hardware remote control.

Kushiro et al. (US 6,285,357 B1) teach a display picture shown are identical with those in the remote control device/unit 100.

Martin, Jr. et al. (US 6,509,913 B2) teach a configurable man-machine interface.

Chamley et al. (US 6,804,786 B1) teach a user customizable secure access token and multiple level portable interface.

### ***Inquiries***

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Examiner Lê Nguyen whose telephone number is **(571) 272-4068**. The examiner can normally be reached on Monday - Friday from 7:00 am to 3:30 pm (EST).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kristine Kincaid, can be reached at (571) 272-4063.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

lvn  
Patent Examiner  
June 14, 2007

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PRIMARY EXAMINER